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STATE FOR NEA/MAG, INL/CIV AND INR/B

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SUBJECT: MOROCCO PRISON CHANGES: A BLAST FROM THE PAST

Classified By: DCM Robert P Jackson for reasons 1.4 (b) and (d)

Summary

1. (C) The new Delegate-General for Prison Administration, Mohammed Benhachem, indicated to PolCouns a willingness to work with the USG, but asked to defer any USG assessment until at least July, so he would be better prepared. Benhachem is a former head of the national police force and Ministry of Interior (MOI) official during the Hassan II/Basri era. He was brought on board in April by King Mohammed VI after the escape of nine convicted terrorists discredited the Ministry of Justice's (MOJ) administration of the country's prisons. (Note: Six of the nine have been recaptured. End Note.) Benhachem's return after years of forced retirement is a strong message to prisoners, especially those associated with terrorism, that the soft approach adopted by the MOJ in recent years is over. More broadly, his return reflects a general hardening by the government in the recent months and perhaps a subtle message that the repressive "years of lead" may be dead but are not buried. His re-entry into public service represents a limited return of the type of traditional iron-fisted Moroccan security chieftains who have not been much seen in recent years. In a separate meeting, an MOJ official described tensions between his ministry and the newly independent Prison Administration. End Summary.

Give Us a Little Time

2. (C) During a June 9 meeting, Morocco's first-ever Delegate-General for Prison Administration (Junior Minister-or Agency Administrator-equivalent) Mohammed Benhachem told PolCouns and PolOff that he welcomed the idea of cooperation on prison programming with the USG. For the moment, however, he and his team were not yet ready to entertain concrete ideas. He said he needed more time to complete a review of his recently assigned duties and organizational needs. He requested that any assessment team visits or programmatic discussions be delayed until at least late July, when he would be in a better position to discuss specifics. He also requested that a concept paper detailing possible areas of cooperation and types of support available from the USG be sent to his staff.

An Old Soldier Rides Again

3. (C) Benhachem was appointed to his position in April after nine Salafists convicted of terrorism escaped from a prison in Kenitra by digging a 100-meter-long tunnel over the course of a year. The incident proved a stinging embarrassment for the GOM and particularly for the MOJ, which

supervised the national prison administration and had granted numerous concessions to Salafist prisoners -- who were backed by a well-organized support campaign featuring their wives. In response, the King took prison administration away from the MOJ and ordered that a new structure be established that reports directly to him, through the Prime Minister. He plucked Benhachem out of retirement to lead the new authority.

14. (C) The hard-line 72-year-old former Director of the Direction Generale de la Surete National (the national police force known by its initials DGSN) and a high ranking MOI official during the toughest period of the Hassan II era, his appointment is widely seen as putting the prison population on notice that the lax policies of recent years are about to change. Benhachem was a protege of the late Driss Basri, Minister of Interior and architect of the oppressive policies carried out during the "years of lead" under Hassan II. Holding the rank of Wali (or governor), Benhachem worked directly under the Minister, and served as coordinator and liaison between all other governors and Basri. Benhachem underscored his long and close relationship with the USG. He reminisced about being one of only two Arab observers brought by the USG to view the 1982 El Salvador elections, and remembered the 1980s era of security cooperation with the USG fondly.

A Checkered Past, with Teflon Highlights

15. (C) Benhachem's name was mentioned during the proceedings of the Equity and Reconciliation Commission (Morocco's truth and reconciliation commission known by its French initials, IER), particularly in relation to repressive policies in Western Sahara. He retired from the Directorship of the DGSN in 2003, although it is widely accepted that he was pushed out by King Mohammed VI to make way for new and more reform-minded leaders. Benhachem was briefly mentioned in connection with the 2005 corruption and drug smuggling trial of former head of Royal Security Abdelaziz Izzou, but no charges were brought against him and he was never formally implicated in the affair.

MOJ's Clean Break with New Prison Administration

16. (C) During a separate May 21 meeting with PolOff, MOJ Director of Penal Affairs and Pardons and Director of the Prosecution Service M'hammed Abdenebaoui described the uneasy relationship between his Ministry and the new Delegation-General. Abdenebaoui, himself a former Director of Prisons, expressed disappointment over the lack of communication between the MOJ and the newly independent Prison Administration and said that there is little discussion except through formal channels. Through his current position he said he will still hold sway over strategic correctional policy, but will have no input into security and daily operations of prison facilities.

Salafists and Sahrawis Manipulate Prisons

17. (C) Abdenebaoui expressed anger at the way in which he said Salafists and Sahrawis manipulate public sympathies to obtain better treatment or power while incarcerated. When discussing the April escape from prison of nine Salafists convicted of involvement in the 2003 Casablanca bombings, he scoffed. "How can you escape from your own house?" he asked. He said the Salafists' wing of the prison was more comfortable in many ways than the homes from which the inmates came. He grumbled that they twisted the idea of human rights to play on public sympathies and put pressure on the Government to obtain unprecedented privileges. He added that Sahrawis and even foreigners who are arrested learn quickly from other inmates that the quickest way to throw a case into confusion is to claim torture during court hearings. He agreed that mistreatment is more regular than he would like it to be, and even that torture sometimes

occurs, but not as a result of policy. He said training, understaffing and miserable working conditions are root causes. He asked if, when police and prison officials in the U.S. are occasionally shown beating or mistreating individuals in the news, do people assume the U.S. has a general policy of torture?

Comment

18. (C) Justice Minister Radi earlier told the Ambassador he had sought to rid himself of the albatross of the prison system, so underfunded as to be in deep crisis. It is too soon to tell what the impact of Benhachem and the new Prison Administration will be, although at least in the short term it is likely to include a tightening of rules and procedures.

This is not surprising after concessions of the last few years allowed Salafist prisoners to gain unprecedented control and privileges, to the apparent detriment of prison security. It is also unclear whether his mandate from the throne includes additional resources for the chronically under funded prison system. However, improved prison management and security will need to be coupled with continued respect for human rights and international norms, and an overall continuation of the process of reform. Abdenebaoui's impression that a wall seems to have grown up between the Ministry of Justice and the new Prison Administration is troubling, but the lack of communication could simply be the result of the new Prison Administration getting settled. Although the new division of labor seems to leave the MOJ with responsibility for correctional policy, it is unclear how that will play out; Benhachem suggested that the MOJ will govern who "comes in and (through pardons) leaves", but while they are behind bars they will be his responsibility. Placing the responsibility for prison administration within the Office of the Prime Minister and with a direct line to the King may aid in speeding the pace of reform and removing layers of bureaucracy. As yet there has been no word on increases in funding, one of the system's key constraints.

19. (C) Comment continued: While there is an acknowledged need to tighten prison controls, Benhachem's overall demeanor did not suggest that he has changed much from the days when he led the police and served through the worst years of the years of repression under Hassan II. As such, his appointment is a reminder that the process of reform in Morocco can halt or even go in reverse. Much of the old system and its cadre remain in the government, and it would take only a few changes at the top to bring back the bad old days. Setbacks have occurred elsewhere in the MENA region. Benhachem's return underscores the importance of continuing to support and positively encourage Morocco's reforms. End Comment.

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